

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF TEXAS

No. 6:21-cv-00432

Vernard Brown, Jr.,
Plaintiff,

v.

Lonnie E. Townsend et al.,
Defendants.

ORDER

Plaintiff Vernard Brown, Jr., a prisoner confined within the Texas Department of Criminal Justice proceeding pro se, filed this civil-rights lawsuit pursuant to 42 U.S.C. § 1983. The case was referred to United States Magistrate Judge K. Nicole Mitchell.

On January 17, 2025, the magistrate judge issued a report recommending that defendants' motion to dismiss (Doc. 34)—to which plaintiff did not respond—be granted and that plaintiff's lawsuit be dismissed with prejudice for failure to state a claim upon which relief may be granted. Doc. 39.

Plaintiff received a copy of this report on February 11, 2025, and, to date, has not filed objections. Doc. 40. Because the time for filing timely objections has passed, the court will review the magistrate judge's report and recommendation only for clear error. *See Douglass v. United Servs. Auto. Ass'n*, 79 F.3d 1415, 1420 (5th Cir. 1996).

Having reviewed the magistrate judge's report, and being satisfied that it contains no clear error, the court accepts its findings and recommendation. Defendants' motion to dismiss (Doc. 34) is granted. Plaintiff's lawsuit is dismissed with prejudice for failure to state a claim upon which relief may be granted. Any pending motions are denied as moot.

So ordered by the court on March 5, 2025.

A handwritten signature in black ink, appearing to read "J. Campbell Barker", is written over a horizontal line.

J. CAMPBELL BARKER
United States District Judge